

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DOC #
DATE FILED: 11/16/10

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: IN RE WORLD TRADE CENTER DISASTER SITE
: LITIGATION
:

**ORDER REGULATING
PROCEEDINGS**

: IN RE LOWER MANHATTAN DISASTER SITE
: LITIGATION
:

: 21 MC 100 (AKH)

: 21 MC 102

: 21 MC 103
:

: IN RE COMBINED WORLD TRADE CENTER AND
: LOWER MANHATTAN DISASTER SITE
: LITIGATION
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ALVIN K. HELLERSTEIN, U.S.D.J.:

The deadline for Eligible Plaintiffs to opt into the Settlement Process Agreement, As Amended ("SPA"), is tonight at 11:59pm. This order is issued to regulate follow-up proceedings.


1. There shall be no further extensions of this deadline.
2. The compilation, organization, and verification of opt-in claims of Eligible Plaintiffs under the SPA will continue on as speedy a schedule as practicable. For each opt-in claim, upon completion of processing, the claim shall be electronically delivered to the Allocation Neutral immediately.
3. The deadline for the processing of opt-in claims was previously set for Thursday, November 18, at 3:00pm, and shall not be enlarged. Opt-in claims not delivered to the Allocation Neutral by that date and time shall not be considered valid.
4. As soon as possible after 3:00pm on November 18, the Allocation Neutral shall file a report with me that shall include the following information, together with

whatever additional categories that are deemed helpful: (a) the total number of Eligible Plaintiffs who have opted into the SPA, (b) the same total number organized according to each of the four tiers provided in the SPA, and (c) the percentages of the total, and of each category, of all Eligible Plaintiffs.

5. By Monday, November 22, 2010, at 3:00pm, Plaintiffs' liaison counsel shall file a report with me identifying the Eligible Plaintiffs who did not opt into the SPA, organized according to (a) Eligible Plaintiffs who could not be located despite diligent efforts, and describing those efforts, (b) Eligible Plaintiffs who, although located, declined to respond to liaison counsel's inquiries as to whether they would or would not opt in, and (c) Eligible Plaintiffs who expressly stated that they had decided not to opt in.¹
6. The terms of my orders of November 8 and November 9, 2010, barring communications with any and all persons, including the media, remain in effect until the Allocation Neutral's report is posted on the Court's website, which shall occur promptly after receipt by the Court of the Allocation Neutral's report.

SO ORDERED.

Dated: November 16, 2010
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge

¹ Lists such as these should have been supplied by Plaintiffs' liaison counsel on a continuous basis pursuant to my order of October 5, 2010. To date, no such lists have been provided.